WPP-47

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೭	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಏಪ್ರಿಲ್ ೫, ೨೦೧೨, (ಚೈತ್ರ ೧೬, ಶಕ ವರ್ಷ ೧೯೩೪)	ಸಂಚಿಕೆ ೧೪

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 05 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್, 2012.

2012ನೇ ಸಾಲಿನ ಜನವರಿ 13ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Life Insurance Corporation (Amendment) Act, 2011 (No. 8 of 2012) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

The following Act of Parliament received the assent of the President on the 12th January, 2012, and is hereby published for general information :-

THE LIFE INSURANCE CORPORATION (AMENDMENT) ACT, 2011

(No. 8 of 2012)

[12th January, 2012]

An Act further to amend the Life Insurance Corporation Act, 1956.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows :-

1. **Short title and commencement.**-(*1*) This Act may be called the Life Insurance Corporation (Amendment) Act, 2011.

   (*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Substitution of new section for section 5.- In the Life Insurance Corporation Act, 1956 (31 of 1956) (hereinafter referred to as the principal Act), for section 5, the following section shall be substituted, namely :-

``**5. Capital of Corporation** (*1*) The paid-up equity capital of the Corporation shall be one hundred core of rupees provided by the Central Government after due appropriation made by Parliament by law for the purpose.

(*2*) The Corporation may issue and sell bonds and debentures or such other prescribed instruments carrying interest for the purpose of raising its working capital to such amount as may be prescribed."

3. Amendment of section 18.-In section 18 of the principal Act, for sub-section (*4*), the following sub-sections shall be substituted, namely :-

``(*4*) There may be established as many divisional offices and branches in each zone as may be decided by the Corporation in accordance with the guidelines issued by the Insurance Regulatory and Development Authority established under the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999) in this regard."

4. Amendment of section 26.-In section 26 of the principal Act, for the words ``once at least in every two years", the words ``every year" shall be substituted.

5. Substitution of new section for section 28.-For section 28 of the principal Act, the following section shall be substituted, namely :-

``28. Surplus from life insurance business, how to be utilized.-(*1*) If as a result of any investigation undertaken by the Corporation under section 26, any surplus emerges,-

*(a)*ninety per cent, or more such surplus, as the Central Government may approve, shall be allocated to or reserved for the life insurance policyholders of the Corporation ;

*(b)*such percentage of remaining surplus as the Central Government may approved shall be credited to separate account maintained by the Corporation ; and

*(c)*the remainder shall be paid as dividend.

(*2*) The funds available in the account maintained by the Corporation under clause (*b*) of sub-section (1) shall be utilized for such purpose and in such manner as the Central Government may determine."

6. Amendment of section 37.-In section 37 of the principal Act, the following proviso shall be inserted, namely :-

``Provided that the Corporation shall endeavour that its funds are invested in the attractive schemes formulated by it to ensure increased bonus to policyholders while having least investment risk so as to enable the Corporation to play a greater role in economic enrichment of the masses while maintaining its position as a leading player in the market."

7. Amendment of section 44.-In section 44 of the principal Act, in clause (*b*), the following proviso shall be inserted, namely :-

``Provided that nothing contained in this clause shall apply on and from the date on which the provisions contained in section 2E of the Insurance Act, 1938 (4 of 1938) shall cease to operate."

8. Amendment of section 48.-In section 48 of the principal Act, in sub-section (*2*),-

(*i*) after clause (*a*), the following clause shall be inserted, namely :-

``(*aa*) the instruments which may be issued and the amount of working capital under sub-section (2) of section 5 ;";

(*ii*) in clause (*cc*), the words ``and agents" occurring at both the places, shall be omitted.

9. Amendment of section 49.-In section 49 of the principal Act, in sub-section (*2*),-

(*i*) for clause (*b*), the following clause shall be substituted, namely :-

``(*b*) the method of recruitment of employees and agents of the Corporation and the terms and conditions of the agents ;";

(*ii*) clause (*j*) shall be omitted.

V. K. BHASIN,
Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 04

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 06 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್, 2012.

2012ನೇ ಸಾಲಿನ ಜನವರಿ 09ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Prasar Bharati (Broadcasting Corporation of India) Amendment Act, 2011 (No. 6 of 2012) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

The following Act of Parliament received the assent of the President on the 08th January, 2012, and is hereby published for general information :-

THE PRASAR BHARATI (BROADCASTING CORPORATION OF INDIA) AMENDMENT ACT, 2011

(No. 6 of 2012)

[08th January, 2012]

An Act further to amend the Prasar Bharati (Broadcasting Corporation of India) Act, 1990.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows :-

1. Short title and commencement.- (*1*) This Act may be called the Prasar Bharati (Broadcasting Corporation of India) Amendment Act, 2011.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Substitution of new sections for section 11.- In the Prasar Bharati (Broadcasting Corporation of India) Act, 1990 (25 of 1990) (hereinafter referred to as the principal Act), for section 11, the following section shall be substituted, namely :-

``11. Status of officers and employees.- (*1*) All officers and employees recruited for the purposes of Akashvani or Doordarshan before the appointed day and in service in the Corporation as on the 1st day of April, 2000, shall be on deemed deputation to the Corporation with effect from the 1st day of April, 2000, and shall so continue till their retirement.

(*2*) All officers and employees recruited during the period on or after the appointed day till the 5th day of October, 2007, shall be on deemed deputation to the Corporation with effect from the 1st day of April, 2000 or the date of their joining service in the Corporation, whichever is later and until their retirement.

Explanation.-For the purposes of sub-sections (*1*) and (*2*), ``officers and employees recruited" means officers and employees recruited either under the proviso to article 309 of the Constitution or in accordance with the regulations made under the Act, but shall not include persons engaged or appointed on daily wages, casual, *ad hoc* or work charged basis.

(*3*) The officers and employees referred to in sub-section (*1*) and sub-section (*2*) shall be entitled to the pay and all other benefits as admissible to an employee of the Central Government :

Provided that such officers and employees shall not be entitled to any deputation allowance.

(*4*) Notwithstanding anything contained in any other law for the time being in force, the Corporation shall have the disciplinary and supervisory powers and full control on the Officers and employees referred to in sub-section (1) and sub-section (2), including the power to transfer them from one place, post or media to another, and to suspend, initiate disciplinary proceedings and impose major or minor penalties :

Provided that the power to impose major penalties of compulsory retirement, removal or dismissal from service shall be exercised by the Central Government.

(*5*) All officers and employees recruited after the 5th day of October, 2007 shall be officers and employees of the Corporation and shall be governed by such conditions of service as may be specified in the regulations.

11A.Section 11 not to apply to certain officers and employees.-(1) The provisions of section 11 shall not apply to officers and employees of the Indian Information Service, the Central Secretariat Service or any other service borne on any cadre outside Akashvani or Doordarshan, who have been working in Akashvani or Doordarshan before the appointed day or in service in the Corporation after that day.

(*2*) The terms and conditions of service in the Corporation of officers and employees referred to in sub-section (*1*) shall be such as may be prescribed.

11B.Transfer of posts of Akashvani and Doordarshan to Corporation.-(*1*) All posts in the erstwhile Akashvani and Doordarshan other than the posts borne on the strength of the cadres referred to in sub-section (*2*) shall be deemed to have been transferred to the Corporation with effect from the 1st day of April, 2000.

(2) All matters relating to the posts borne on the strength of the cadres of the Indian Information Service, the Central Secretariat Service or any other outside Akashvani or Doordarshan, in so far as such posts are concerned with the Corporation, shall be determined in such manner and on such terms and conditions as may be prescribed.'.

3. Amendment of section 32.-In section 32 of the principal Act, in sub-section (*2*), for clause (*f*), the following clauses shall be substituted, namely :-

``(*f*) the terms and conditions of service in the Corporation of officers and employees under sub-section (*2*) of section 11A ;

(*ff*) the manner and the terms and conditions subject to which matters relating to the posts borne on the strength of the cadres of the Indian Information Service, the Central Secretariat Service or any other cadre outside Akashvani or Doordarshan shall be determined under sub-section (*2*) of section 11B :".

4. Amendment of section 33.-In section 33 of the principal Act, in sub-section (*2*),-

(*i*) for clause (*d*), the following clause shall be substituted, namely :-

``(*d*) the conditions of service of officers and employees under sub-section (5) of section11 ;";

(*ii*) clause (*e*) shall be omitted.

V. K. BHASIN,
Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 05

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 07 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್, 2012.

2012ನೇ ಸಾಲಿನ ಜನವರಿ 09ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Company Secretaries (Amendment) Act, 2011 (No. 4 of 2012) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

The following Act of Parliament received the assent of the President on the 08th January, 2012, and is hereby published for general information :-

THE COMPANY SECRETARIES (AMENDMENT) ACT, 2011

(No. 4 of 2012)

[08th January, 2012]

An Act further to amend the Company Secretaries Act, 1980.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows :-

1. **Short title and commencement.-** (*1*) This Act may be called the Company Secretaries (Amendment) Act, 2011.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Amendment of section 2.-** In the Company Secretaries Act, 1980 (56 of 1980) (hereinafter referred to as the principal Act), in section 2, in sub-section (*1*) :-

(*i*) after clause (*f*), the following clause shall be inserted, namely :-

`(*fa*) ``the firm" shall have the meaning assigned to it in section 4 of the Indian Partnership Act, 1932 (9 of 1932) and includes,-

(i) the limited liability partnership as defined in clause (n) of sub-section (I) of section 2 of the Limited Liability Partnership Act, 2008, (6 of 2009) or

(ii) the sole proprietorship,

registered with the Institute ;";

(ii)after clause (ga), the following clauses shall be inserted, namely:-

`(*gb*) ``partner" shall have the meaning assigned to it in section 4 of the Indian Partnership Act, 1932 (9 of 1932) or in clause (*q*) of sub-section (*l*) of section 2 of the Limited Liability Partnership Act, 2008, (6 of 2009) as the case may be ;

(ge) ``partnership" means-

(A)a partnership as defined in section 4 of the Indian Partnership Act, 1932 (9 of 1932) or

(B) a limited liability partnership which has no company as its partner."

(iii) after clause (f), the following clause shall be inserted, namely :-

`(jj) ``Sole proprietorship" means an individual who engages himself in the practice of the profession of the company secretaries or offers to perform services referred to in clauses (b) to (f) of sub-section (2) ;';

3. Amendment of section 26.-In section 26 of the principal Act, in sub-section (*1),* the following Explanation shall be inserted, namely :-

`*Explanation.-* For the removal of doubts, it is hereby declared that the ``company" shall include any limited liability partnership which has company as its partner for the purposes of this section.'.

V. K. BHASIN,
Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 06

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 10 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್, 2012.

2011ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 26ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 (No. 20 of 2011) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

The following Act of Parliament received the assent of the President on the 23rd December, 2011, and is hereby published for general information :-

THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS (SPECIAL PROVISIONS) SECOND ACT, 2011

(No. 20 of 2011)

[23rd December, 2011]

An Act to make special provisions for the National Capital Territory of Delhi for a further period up to the 31st day of December, 2014 and for matters connected therewith or incidental thereto.

WHEREAS there has been phenomenal increase in the population of the National Capital Territory of Delhi owing to migration and other factors resulting in tremendous pressure on land and infrastructure leading to encroachment or unauthorised developments which are not in consonance with the concept of planned development as provided in the Master Plan for Delhi, 2001 and the relevant Acts and building bye-laws made thereunder,

AND WHEREAS the Master Plan for Delhi, 2001 was extensively modified and notified by the Central Government on the 7th day of February, 2007 with the perspective for the year 2021 keeping in view the emerging new dimensions in urban development *vis-a-vis* the social, financial and other ground realities ;

AND WHEREAS the Master Plan for Delhi with the perspective for the year 2021 specifically provides for strategies for housing for urban poor as well as to deal with the informal sector ;

AND WHEREAS a strategy and a scheme has been prepared by the local authorities in the National Capital Territory of Delhi for regulation of urban street vendors in accordance with the National Policy for Urban Street Vendors and the Master Plan for Delhi, 2021, and is being implemented ;

AND WHEREAS based on the policy finalised by the Central Government regarding regularisation of unauthorised colonies, village *abadi* area and their extension, the guidelines and regulations for this purpose have been issued ;

AND WHEREAS based on the policy finalised by the Central Government regarding regularisation of unauthorised colonies, village abadi area and their extensions, the Building Regulations for Special Area, Unauthorised Regularised Colonies and Village *Abadis*, have been made by the Delhi Development Authority under sub-section (*1*) of section 57 of the Delhi Development Act, 1957 (61 of 1957) notified in the Gazette of India *vide* S.O. 97(*E*), dated the 17th January, 2011 ;

AND WHEREAS in pursuance of the guidelines and regulations necessary steps are being taken for the regularisation of unauthorised colonies which, *inter alia,* involve scrutiny of layout plans, assessment of built-up percentage existed as on the 31st day of March, 2002, identification of mixed use of streets, approval of layout plans, fixation of boundaries, change in land use and identification of colonies not eligible for regularisation ;

AND WHEREAS the Government of National Capital Territory of Delhi has received one hundred forty redrafted layout plans and is in process of fixing the boundary on these layout plans and the complete process of redrafting or finalisation of layout plans is likely to take considerable time to regularise all the unauthorised colonies ;

AND WHEREAS more time is required for proper implementation of the scheme regarding hawkers and urban street vendors and for the regularisation of unauthorised colonies, village *abadi* area and their extensions and special areas ;

AND WHEREAS the Government of National Capital Territory of Delhi is actively considering enactment of law with regard to hawkers and urban street vendors, which is likely to take considerable time due to the legal procedure to be followed in this regard ;

AND WHEREAS the revised policy for proper arrangements for relocation and rehabilitation of slum dwellers and *jhuggi-jhompri* clusters in the National Capital Territory of Delhi has been formulated and accordingly, the Delhi Urban Shelter Improvement Board Act, 2010 (Delhi Act 7 of 2010) has been enacted by the Legislature of the National Capital Territory of Delhi and notified with effect from the 1st July, 2010 to provide for implementation of schemes for improvement of slums and jhuggi-jhompri clusters with a view to bring improvement in environment and living conditions, and to prepare housing scheme for such persons ;

AND WHEREAS the Delhi Urban Shelter Improvement Board has identified about six hundred and eighty-five *jhuggi-jhompri* clusters in the National Capital Territory of Delhi and relocation thereof is likely to take considerable time ;

AND WHEREAS the draft policy regarding farm houses is being prepared by the Delhi Development Authority and its finalisation is likely to take about two years ;

AND WHEREAS pursuant to the Master Plan for Delhi, 2021, the Zonal Development Plans in respect of various Zones have been notified which provides for regularisation of schools, dispensaries, religious institutions and cultural institutions established on or befor the 1st January, 2006 in non-conforming areas ;

AND WHEREAS the policy with respect to storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land and guidelines for redevelopment of existing godown clusters in non-conforming areas (including those for a storage of non-agricultural goods) required to cater to the needs of the people of the National Capital Territory of Delhi are under consideration of the Central Government in consultation with the Delhi Development Authority ;

AND WHEREAS with respect to special areas (being the areas consisting of walled city, walled city extension and area known as Karol Bagh and as such other areas as may be designated as special area) referred to in clause *(vi)* of regulation 2 of the Building Regulations for Special Area, Unauthorised Regularised Colonies and Village *Abodis,* 2010 notified in the Gazette of India *vide* S.O. 97(*E*), dated the 17th January, 2011, is being taken for formulation of redevelopment plan and schemes by concerned local authority which is likely to take considerable time ;

AND WHEREAS rule 12 of the Delhi Development (Master Plan and Zonal Development Plan) Rules, 1959 provides for amendments of whole or any part of the Master Plan, if necessary, at the expiry of every five years and accordingly in pursuance of the aforesaid rule 12, the process of quinquennial revision of the provisions of the Master Plan notified on the 7th February, 2007, is being undertaken for such modifications and updating that have emerged based on ground realities which is likely to take some time for finalisation.

AND WHEREAS in view of the foregoing paragraphs, it is expedient and in public interest that no hardship be caused (whether by way of sealing or demolition of the structures or otherwise), to the public until the revision of Master Plan as stated in the preceding paragraph is undertaken to facilitate the smooth review of the Master Plan ;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Act, 2007 (43 of 2007) was enacted on the 5th day of December, 2007 to make special provisions for the areas of National Capital Territory of Delhi for a period of up to the 31st day of December, 2008 which ceased to operate after the 31st December, 2008 ;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Act, 2009 (24 of 2009) was enacted in continuation of the aforesaid Act for a period up to the 31st day of December, 2009 to make special provisions for the areas of the National Capital Territory of Delhi and that Act ceased to operate after the 31st day of December, 2009 ;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2009 (40 of 2009) was enacted in continuation of the aforesaid Act for a period up to the 31st day of December, 2010 to make special provisions for the areas of National Capital Territory of Delhi and that Act ceased to operate after the 31st day of December, 2010 ;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provision) Act, 2011 has been enacted to give continued effect to provisions of the enactment specified in the preceding paragraph for a period up to the 31st day of December, 2011 and to make special provisions for the areas of the National Capital Terrirory of Delhi and that Act, shall cease to operate after the 31st day of December, 2011 ;

AND WHEREAS it is expedient to have a law in terms of the Master Plan for Delhi, 2021, in continuation of the said Acts for a period up to the 31st day of December, 2014 to provide for relief and to minimize avoidable hardships and irreparable loss to the people of the National Capital Territory of Delhi against any punitive action by any agency in respect of the persons covered by the policies referred to above.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows :-

1. Short title, extent, commencement and duration.- (*1*) This Act may be called the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011.

(*2*) It extends to the National Capital Territory of Delhi.

(*3*) It shall come into force on the 1st day to January, 2012.

(*4*) It shall cease to have effect on the 31st day of December, 2014, except as respects things done or omitted to be done before such cesser, and upon such cesser section 6 of the General Clauses Act, 1897 (10 of 1897) shall apply as if this Act had then been repealed by a Central Act.

2. Definitions.- (*1*) In this Act, unless the context otherwise requires,-

(*a*) ``building bye-laws" means bye-laws made under section 481 of the Delhi Municipal Corporation Act, 1957 or the bye-laws made under section 188, sub-section (3) of section 189 and sub-section (*1*) of section 190 of the Punjab Municipal Act, 1911, (66 of 1957 Punjab Act 3 of 1911) as in force in New Delhi or the regulations made under sub-section (*1*) of section 57 of the Delhi Development Act, 1957, (61 of 1957) relating to buildings ;

(*b*) ``Delhi" means the entire area of the National Capital Territory of Delhi except the Delhi Cantonment as defined in clause (11) of section 2 of the Delhi Municipal Corporation Act, 1957 ; (66 of 1957).

(*c*) ``encroachment" means unauthorized occupation of Government land or public land other than streets, lanes, footpath and parks, by way of putting temporary, semi-permanent or permanent structure for residential use of commercial use or any other use ;

(*d*) ``local authority" means the Delhi Municipal Corporation established under the Delhi Municipal Corporation Act, 1957 (66 of 1957) or the New Delhi Municipal Council established under the New Delhi Municipal Council Act, 1994 (44 of 1994) or the Delhi Development Authority established under the Delhi Development Act, 1957,61 of 1957) legally entitled to exercise control in respect of the areas under their respective jurisdiction ;

(*e*) ``Master Plan'' means the Master Plan for Delhi with the perspective for the year 2021, notified vide notification number S.O. 141 (E), dated the 7th day of February, 2007 under the Delhi Development Act, 1957,(61 of 1957).

(*f*) ``notification" means a notification published in the official Gazette ;

(*g*) ``punitive action "means action taken by a local authority under the relevant law against unauthorized development and shall include demolition, sealing of premises and displacement of persons or their business establishment from their existing location, whether in pursuance of court orders or otherwise ;

(*h*) ``relevant law" means in case of –

(*i*) the Delhi Development Authority, the Delhi Development Act, 1957 ; (61 of 1957)

(*ii*) the Municipal Corporation of Delhi, the Delhi Municipal Corporation Act, 1957 ; and (66 of 1957)

(*iii*) the New Delhi Municipal Council, the New Delhi Municipal Council Act, 1994 ; (44 OF 1994)

(*i*) ``special area", shall have the meaning assigned to it in clause (vi) of regulation 2 of the Building Regulations for Special area, Unauthorised Regularised Colonies and Village abadis, 2010 notified in the Gazette of India vide S.O. 97(E), dated the 17th January, 2011 ;

(*j*) ``unauthorised development" means use of land or use of building or construction of building or development of colonies caried out in contravention of the sanctioned plans or without obtaining the sanction of plans, or in contravention of the land use as permitted under the Master Plan or Zonal Plan or layout plan, as the case may be, and includes any encroachment.

(2) The words and expressions used but not defined herein shall have the meanings respectively assigned to them in the Delhi Development Act, 1957 (61 of 1957) the Delhi Municipal Corporation Act, 1957 (66 of 1957) and the New Delhi Municipal Council Act, 1994 (44 of 1994).

3. Enforcement to be kept in abeyance.- (*1*) Notwithstanding anything contained in any relevant law or any rules, regulations or bye-laws made thereunder, the Central Government shall before the expiry of this Act, take all possible measures to finalise norms, policy guidelines, feasible strategies and made orderly arrangements to deal with the problem of encroachment or

unauthorised development in the form of encroachment by slum dwellers and *Jhuggi-Jhompri* clusters, hawkers and urban street vendors, unauthorised colonies, village *abode* area (including urban villages), and their extensions, existing farm houses involving construction beyond permissible building limits and schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land, as mentioned below :-

(*a*) orderly arrangements for relocation and rehabilitation of slum dwellers and Jhuggi-Jhompri clusters in Delhi in accordance with the provisions of the Delhi Urban Shelter Improvement Board Arc, 2010 and the Master Plan for Delhi, 2021 (Delhi Act 7 of 2010) to ensure its development in a sustainable, planned and humane manner ;

(*b*) scheme and orderly arrangements for regulation of urban street vendors in consonance with the national policy for urban street vendors and hawkers as provided in the Master Plan for Delhi, 2021 ;

(*c*) orderly arrangements pursuant to guidelines and regulations for regularisation of unauthorized colonies, village *Jhuggi-Jhompri* area (including urban villages) and their extensions, as existed on the 31st day of March, 2002, and where construction took place even beyond that date and up to the 8th day of February, 2007 ;

(*d*) policy regarding existing farm houses involving construction beyond permissible building limits ;

(*e*) policy or plan for orderly arrangement regarding schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land and guidelines for redevelopment of existing godown clusters (including those for a storage of non-agricultural goods) required to cater to the needs of the people of the National Capital Territory of Delhi ;

(*f*) orderly arrangements in respect of special areas in accordance with the Building Regulations for Special Area, Unauthorised Regularised colonies and Village Abadis, 2010 within overall *ambit* of Master Plan in force ; and

(*g*) policy or plan for orderly arrangements in all other areas of the National Capital Territory of Delhi in consonance with the Master Plan on its review.

(2) Subject to the provisions contained in sub-section (1) and notwithstanding any judgment, decree or order of any court, *status quo-*

(*i*) as on the 1st day of January, 2006 in respect of encroachment or unauthorized development ;

(*ii*) in respect of unauthorized colonies, village *abadi* area (including urban village) and their extensions, which existed on the 31st day of March, 2002 and where construction took place even beyond that and up to the 8th day of February, 2007, mentioned in sub-section (1) ;

(*iii*) in respect of special areas as per the Building Regulations for special Area, Unauthorised Regularised Colonies and Village *Abadis,* 2010 ; and

(*iv*) in respect of all other areas within the National Capital Territory of Delhi as on the 8th day of February, 2007,

Explanation.-Forthe purposes of this sub-section, it is hereby clarified that any development approved by the competent authority or the local authority under the relevant laws and the rules or regulations made thereunder, including repairs permissible under the building bye-laws in force, shall continue to remain permitted.

(*3*) All notices issued by any local authority for initiating action against encroachment or unauthorised development in respect of areas referred to in sub-section (*1*), shall be deemed to have been suspended and no punitive acting shall be taken till the 31st day of December, 2014, if-

(*a*) it is constructed prior to the dates specified for different areas as enumerated in sub-section (2) ;

(*b*) it conforms to the safety standards as in force or such other safety requirements as may be notified by the Central Government ; and

(*c*) it complies with the directions with respect to safety, if any, issued by the Central Government :

Provided that in case punitive action is required to be taken by any local authority, prior approval of the Administrator of the National Capital Territory of Delhi or the officer authorised by him in this behalf, shall be obtained by the authority or officer concerned.

(*4*) Notwithstanding any other provision contained in this Act, the Central Government may, at any time before the 31st day of December, 2014, withdraw the exemption by notification in respect of encroachment or unauthorised development mentioned in sub-section (*2*) or sub-section (*3*), as the case may be.

4. **Provisions of this Act not to apply in certain cases.-** During the period of operation of this Act, no relief shall be available under the provisions of section 3 in respect of the following encroachment or unauthorized development, namely :-

(*a*) encroachment on public land except in those cases which are covered under clauses (*a*), (*b*) and (*c*) of sub-section (*1*) of section 3 :

(*b*) removal of slums and *Jhuggi-Jhompri* dwellers, hawkers and urban street vendors, unauthorised colonies or part thereof, village *abadi* area (including urban villages) and their extensions in accordance with the relevant policies approved by the Central Government for clearance of land required for specific public projects.

5. **Power of Central Government to give directions.-** The Central Government may, from time to time, issue such directions to the local authorities as it may deem fit, for giving effect to the provisions of this Act and it shall be the duty of the local authorities, to comply with such directions.

6. **Validations of acts done or omitted to be done, etc., during 1st January, 2012 up to the date of enactment of this Act.-** Notwithstanding any judgment, decree or order of any court, all things done, or, omitted to be done, and all action taken, or, not taken, during the period beginning on or after the 1st day of January, 2012 and ending immediately before the date of enactment of this Act, shall, in so far as they are in conformity with the provisions of this Act, be deemed to have been done, or, omitted to be done, or, taken, or, not taken, under these provisions as if such provisions were in force at the time such things were done or omitted to be done and action taken or not taken during the aforesaid period.

V. K. BHASIN,
Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 07

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 11 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್, 2012.

2012ನೇ ಸಾಲಿನ ಜನವರಿ 13ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Export-Import Bank of India (Amendment) Act, 2011 (No. 11 of 2012) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

The following Act of Parliament received the assent of the President on the 12th January, 2012, and is hereby published for general information :-

THE EXPORT-IMPORT BANK OF INDIA (AMENDMENT) ACT, 2011

(No. 11 of 2012)

[12th January, 2012]

An Act further to amend the Export-Import Bank of India Act, 1981.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows :-

1. Short title and commencement.- (*1*) This Act may be called the Export-Import Bank of India (Amendment) Act, 2011.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 4.- In section 4 of the Export-Import Bank of India Act, 1981 (28 of 1981) (hereinafter referred to as the principal Act), for sub-section (1), the following sub-section shall be substituted, namely :-

``(1) the suthorised capital of the Exams Bank shall be ten thousand corers of rupees :

Provided that the Central Government may, by notification increase the said capital up to an amount that it may deem necessary from time to time.".

2. Amendment of section 6.- In section 6 of the principal Act,-

(*a*), in sub-section (1), after clause (*a*), the following clause shall be inserted, namely :-

``(*aa*) two whole-time directors appointed by the Central Government ;";

(*b*) in sub-sections (*2*), (*3*), (*4*) and (*5*), after the words ``the managing director" wherever they occur, the words ``or the whole-time director" shall be inserted.

4. Amendment of section 8.-In section 8 of the principal Act, in the proviso, after the words ``the managing director", the words ``or the whole-time director" shall be inserted.

V. K. BHASIN,
Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 08

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ : ಸಂವ್ಯಶಾಇ 18 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್, 2012.

2011ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 31ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Cable Television Networks (Regulation) Amendment Act, 2011 (No.21 of 2011) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

The following Act of Parliament received the assent of the President on the 30th December, 2011, and is hereby published for general information:-

THE CABLE TELEVISION NETWORKS (REGULATION) AMENDMENT ACT, 2011

No.21 OF 2011

[30TH December, 2011]

An Act further to amend the Cable Television Networks (Regulation) Act, 1995.

BE it enacted by parliament in the Sixty-second Year of the Republic of India as follows:-

1. Short title and commencement :- 1) This Act may be called the Cable Television Networks (Regulation) Amendment Act, 2011.

(2) It shall be deemed to have come into force on the 25th day of October, 2011.

2. Amendment of Section 2 :- In section 2 of the Cable Television Networks (Regulation) Act, 1995 (7 of 1995) (herein after referred to as the principal Act) ,-

(A) for clause (aa), the following clauses shall be substituted, namely:-

'(ai) "Authority" means the Telecom Regulatory Authority of India established under sub-section (l) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997);

(aii) "Broadcaster" means a person or a group of persons, or body corporate, or any organisation or body providing programming services and includes his or its authorised distribution agencies;

(aiii) "cable operator" means any person who provides cable service through a cable television network or otherwise controls or is responsible for the management and operation of a cable television network and fulfils the prescribed eligibility criteria and conditions;';

(B) in clause (e), for sub-clause (iii), the following sub-clause shall be substituted, namely:-

"(iii) a company as defined in section 3 of the Companies Act, 1956; (1 of 1956) ";

(C) after clause (e), the following clause shall be inserted, namely:-

'(ei) "post" means a post and includes a pole, tower, standard, stay, strut, cabinet, pillar or any above ground contrivance for carrying, suspending or supporting any network infrastructure facility;';

(D) in clause (g), in sub-clause (i), the words "through video cassette recorders or video cassette players" shall be omitted;

(E) after clause (g), the following clause shall be inserted, namely:-

'(gi) "public authority" means any authority, body or institution of local self-government constituted or established by or under-

(i) the Constitution of India;

(ii) any law made by Parliament;

(iii) any law made by a State Legislature;

(iv) any notification issued or order made by the appropriate Government,

and includes any-

(v) body owned, controlled or substantially financed; or

(vi) non-governmental organisation substantially financed, directly or indirectly by funds provided by the appropriate Government;';

(F) in clause (h), after the words "under this Act", the following shall be inserted, namely:-

"within such local limits of jurisdiction as may be determined-by that Government;"

(G) in clause (i),-

(a) for the words"a person", the words "any individuals, or association of individuals, or a company, or any other organisation or body" shall be substituted,

(b) for the words "indicated by him", the words "indicated by him or it" shall be substituted.

3. Amendment of Section 3 :- In section 3 of the Principal Act, the proviso shall be omitted.

4. Substitution of new sections for Section 4 :- For section 4 of the Principal Act, the following section shall be substituted. namely:-

"4. Registration as cable operator: - (1) Any person who is desirous of operating or is operating a cable television network may apply for registration or renewal of registration, as a cable operator to the registering authority.

(2) The cable operator shall fulfill such eligibility criteria and conditions as may be prescribed and different eligibility criteria may be prescribed for different categories of cable operators.

(3) On and from the date of issue of notification under section 4A, no new registration in a State, city, town or area notified under that section shall be granted to any cable operator who does not undertake to transmit or re-transmit channels in an encrypted form through a digital addressable system.

(4) An application under sub-section (1) shall be made in such form and be accompanied by such documents and fees as may be prescribed.

(5) On receipt of the application, the registering authority shall satisfy itself that the applicant has furnished all the required information prescribed under sub- section (4) and on being so satisfied, register the applicant as a cable operator and grant him a certificate of registration or renew its registration, as the case may be, subject to such terms and conditions as may be prescribed under sub-section. (6):

Provided that the registering authority may, if it is satisfied that the applicant does not fulfill the eligibility criteria and conditions prescribed under sub-section (2). or the application is not accompanied by necessary documents or fees as prescribed under sub-section (4), and for reasons to be recorded in writing, by order, refuse to grant its registration or renewal, as the case may be, and communicate the same to the applicant:

Provided further that the applicant may prefer an appeal against the order of the registering authority refusing grant or renewal of registration to the Central Government.

(6) Without prejudice to the compliance of eligibility criteria for registration of cable operators, the Central Government may prescribe, having regard to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, foreign relation or contempt of court, defamation or incitement to an offence, such terms and conditions of registration including additional criteria or conditions to be fulfilled by the cable operator.

(7) The Central Government may suspend or revoke the registration granted under sub-section (5) if the cable operator violates one or more of the terms and conditions of such registration:

Provided that no such order of suspension or revocation shall be made without giving a reasonable opportunity of being heard to the cable operator.".

5. Substitution of new sections for section 4A.- For section 4A of the principal Act, the following sections shall be substituted, namely:-

'4A. Transmission of programmes through digital addressable systems, etc.- (1) Where the Central Government is satisfied that it is necessary in the public interest so to do, it may, by notification in the Official Gazette, make it obligatory for every cable operator to transmit or re-transmit programmes of any channel in an encrypted form through a digital addressable system with effect from such date as may be specified in the notification and different dates may be specified for different States, cities, towns or areas, as the case may be: .

Provided that the date specified in the notification shall not be earlier than SIX months from the date of issue of such notification to enable the cable operators in different States, cities, towns or areas to install the equipment required for the. Purposes of this sub-section.

(2) The Central Government may prescribe appropriate measures and take such steps as it may consider necessary for implementation of the notification issued under sub-section (1).

(3) If the Central Government is satisfied that it is necessary in the public interest so to do, and if not otherwise specified by the Authority, it may direct the Authority to specify, by notification in the Official Gazette, one or more free-to-air channels to be included in the package of channels forming basic service tier and any one or more such channels may be specified, in the notification, *genre-wise* for providing a programme mix of entertainment, information, education and such other programmes and fix the tariff for basic service tier which shall be offered by the cable operators to the consumers and the consumer shall have the option to subscribe to any such tier:

Provided that the cable operator shall also offer the channels in the basic service tier on a *la carte* basis-to the subscriber at a tariff specified under this sub- section.

(4) The Central Government or the Authority may specify in the notification referred to in sub-section (3), the number of free-to-air channels to be included in the package of channels forming basic service tier for the purposes of that sub-section and different numbers may be specified for different States, cities, towns or areas, as the case may be.

(5) It shall be obligatory for every cable operator to publicise the prescribed information including but not limited to subscription rates, standards of quality of service and. mechanism for redressal of subscribers' grievances in such manner and at such periodic intervals as may be specified by the Central Government or the Authority for the benefit of the subscriber.

(6) The cable operator shall not require any subscriber to have a receiver set of a particular type to receive signals of cable television network:

Provided that the subscriber shall use a digital addressable system to be attached to his receiver set for receiving programmes transmitted on any channel.

(7) Every cable operator shall provide such information relating to its cable services and networks in such format and at such periodic intervals to the Central Government or the State Governments or the Authority or their authorised representatives, as may be specified by them from time to time.

(8) All actions taken by the Central Government or the Authority in pursuance of the provisions of this section as they stood immediately before the 25th day of October, 2011 shall continue to remain in force till such actions are modified as per the provisions of this Act.

Explanation.- For the purposes of this section,-

(a) "addressable system" means an electronic device (which includes hardware and its associated software) or more than one electronic device put in an integrated system through which signals of cable television network can be sent in encrypted form, which can be decoded by the device or devices, having an activated Conditional Access System at the premises of the subscriber within the limits of authorisation made, through the Conditional Access System and the subscriber management system, on the explicit choice and request of such subscriber, by the cable operator to the subscriber; ,

(b) "basic service tier" means a package of free-to-air channels to be offered by a cable operator to a subscriber with an option to subscribe, for a single price to subscribers of the area in which his cable television network is providing service;

(c) "encrypted", in respect of a signal of cable television network, means the changing of such signal in a systematic way so that the signal would be unintelligible without use of an addressable system and the expression "unencrypted" shall be construed accordingly;

(d) "free-to-air channel", in respect of a cable television network, means a channel for which no subscription fee is to be paid by the cable operator to the broadcaster for its re-transmission on cable;

(e) "pay channel", in respect of a cable television network, means a channel for which subscription fees is to be paid to the broadcaster by the cable operator and due authorisation needs to be taken from the broadcaster for its re-transmission on cable;

(f) "subscriber management system" means a system or device which stores the subscriber records and details with respect to name, address and other information regarding the hardware being utilised by the subscriber, channels or bouquets of channels. subscribed to by the subscriber, price of such channels or bouquets of channels as defined in the system, the activation or deactivation dates and time for any channel or bouquets of channels, a log of all actions performed on a subscriber's record, invoices raised on each subscriber and the amounts paid or discount allowed to the subscriber for each billing period.

4B. Right of way for cable operators and permission by public authority. (1) Subject to the provisions of this Act, any cable operator entitled for providing cable services may, from time to time, lay and establish cables and erect posts under, over, along, across, in or upon any immovable property vested in or under the control or management of a public authority. .

(2) Any public authority under whose control or management any immovable property is vested may, on receipt of a request from a cable operator permit the cable operator to do all or any of the following acts, namely:-

(a) to place and maintain underground cables or posts; and

(b) to enter on the property, from time to time, in order to place, examine, repair, alter or remove such cables or posts.

(3) The facility of right of way under this section for laying underground cab les, and erecting posts, shall be available to all cable operators subject to the obligation of reinstatement or restoration of the property or payment of reinstatement or restoration charges in-respect there of at the option at the public authority.

(4) When a public authority in public interest considers it necessary and expedient that the underground cable or post placed by any cable operator under the . provisions of this section should be removed or shifted or its position altered, it may require the cable operator to remove it or shift it or alter its position, as the case may be, at its own cost in the time frame indicated by the public authority.

5) The Central Government may lay down appropriate guidelines to enable the State Governments to put in place an appropriate mechanism for speedy clearance of requests from cable operators for laying cables or erecting posts on any property vested in, or under the control or management of, any public authority and for settlement of disputes, including refusal of permission by the public authority.

(6) Any permission granted by a public authority under this section may be given subject to such reasonable conditions as that public authority thinks fit to . impose as to the payment of any expenses, or time or mode of execution of any work, or as to any other matter connected with or related to any work undertaken by the cable operator in exercise of those rights.

(7) Nothing in this section shall confer any right upon any cable operator other than that of user for the purpose only of laying underground cable or erecting posts or maintaining them.'.

6. Substitution of new section for section 8. For section 8 of the principal Act, the following section shall be substituted, namely:-

"8. Compulsory transmission of certain channels. (1) The Central Government may, by notification in the Official Gazette, specify the names of Doordarshan channels or the channels operated by or on behalf of Parliment, to be mandatorily carried by the cable operators in their cable service and the manner of reception and re-transmission of such channels:

Provided that in areas where digital addressable system has not been introduced in accordance with the provisions of sub-section (1) of section 4A, the notification as regards the prime band is concerned shall be limited to the carriage of two Doordarshan terrestrial channels and one regional language channel of the State in which the network of the cable operator is located.

(2) The channels referred to in sub-section (1) shall be re-transmitted without any deletion or alteration of any programme transmitted on such channels.

(3) Notwithstanding the provisions of- sub-section (1), any notification issued by the Central Government or the Prasar Bharti (Broadcasting Corporation of India) in pursuance of the provisions of sub-section (1), prior to the 25th day of October, 2011 shall continue to remain in force till such notifications are rescinded or amended, as the case may be.".

7. Amendment of Section 9.- In section 9 of the principal Act,-

(a) for the word "equipment", at both the places where it occurs, the words "equipment or digital addressable system" shall be substituted;

(b) the proviso shall be omitted.

8. Amendment of Section 10.- In section 10 of the principal Act, after the words "authorised telecommunication systems", the words "and is in conformity with such standards relating to interference as may be prescribed by the Central Government" shall be inserted.

9. Insertion of new Section 10A .- After section 10 of the principal Act, the following section shall be inserted, namely:-

"10A. Inspection of cable network and services (1) Without prejudice to the-provisions contained.in the Indian Telegraph Act, 1885 (13 of 1885) or any other law for the time being.in force, the Central Government or its officers authorised by it or authorised agency shall have the right to inspect the cable network and services.

(2) No prior permission or intimation shall be required to exercise the right of the Central Government or its authorised representatives to carry out such inspection.

(3) The inspection shall ordinarily be carried out after giving reasonable notice except in circumstances where giving of such a notice shall defeat the purpose of the inspection.

(4) On being so directed by the Central Government or its authorised officers or agency so authorised by it, the' cable operator shall provide the necessary equipment, services and facilities at designated place or places for lawful interception or continuous monitoring of the cable service at its own cost by or under the supervision of the Central Government or its officers or agency so authorised by it.".

10. Substitution of new section for section 11.- For section 11 of the principal Act, the following section shall be substituted, namely:-

"11. Power to seize equipment used for operating cable television network.- If any authorised officer has reason to believe that the provisions of section 3, section *4A,* section 5, section 6, section 8 section 9 'or section 10 have been or are being contravened by any cable operator, he may seize the equipment being used by such cable operator for operating the cable television network:

Provided that the seizure of equipment in case of contravention of sections 5 and 6 shall be limited to the programming service provided on the channel generated at the level of the cable operator.".

11. Amendment of section 21.- In section 21 of the principal Act, for the words and figures "and the Consumer Protection Act, 1986" (68 of 1986), the following shall be substituted, namely:-

"the Consumer Protection Act, 1986 (68 of 1986) and the Telecom Regulatory Authority of India Act, 1997".(24 of 1997)'

12. Amendment of section 22.- In section 22 of the principal Act, in sub-section (2),-

(i) for clause *(a),* the following clause shall be substituted, namely:-

"(a) the eligibility criteria for different categories of cable operators under sub-section (2) of section 4;";

(ii) for clause *(aa),* the following clause shall be substituted, namely:-

"(aa) the form of application, documents to be accompanied and the fees payable under sub-section (4) of section 4;";

(iii) for clause *(aaa),* the following clause shall be substituted, namely:-

"(aaa) the terms and conditions of registration' under sub-section (6) of section 4;";

(iv) after clause *(aaa),* the following clause shall be inserted, namely:-

"(aaaa) the appropriate measures under sub-section (2) of section 4A implementation of the notification under sub-section (1) of that section;";

(v) after clause *(d),* the following clause shall be inserted, namely:-

"(*da)* the specifications of interference standards for interfering with any telecommunication system under section 10 (Ord. 3 of 2011);".

13. Repeal and saving. The.Cable Television Networks (Regulation) Amendment Ordinance, 2011 (Ord 3 of 2011) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.

V.K.BHASIN,

Secy.to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಪಿ.ಆರ್. 13 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ : ಸಂವ್ಯಶಾಇ 3 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್, 2012.

2011ನೇ ಸಾಲಿನ ನವೆಂಬರ್ 25ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R.836(E) (Notification No.F.No.2-5/2011-SPY(SP-1) ದಿನಾಂಕ: 25–11–2011 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Food and Public Distribution)

ORDER

G.S.R.836(E)._ In exercise of the powers conferred by sub-section (1) read with clause (1) of sub-section (2) of Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that every domestic producer of sugar shall sell ten percent of sugar produced with effect from the 1st day of October, 2011 and till further orders, to the Central Government or as directed by the Central Government under the Levy Sugar Supply (Control) Order, 1979.

[F.No. 2-5/2011-SPY (SP-I)],

ADHIR JHA, Director (SDF).

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಪಿ.ಆರ್. 14 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ : ಸಂವ್ಯಶಾಇ 4 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್, 2012.

2011ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 1ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ F.No. 6/2/2009-BO.II ದಿನಾಂಕ:01–12–2011 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF FINANCE

(Department of Financial Services)

NOTIFICATION

[F.No. 6/2/2009-BO.II]- In exercise of powers conferred by sub-section (2) of section 1 of The State Bank of India (Subsidiary Banks Laws) Amendment Act, 2011 (17 of 2011), the Central Government hereby appoints the 1st day of December, 2011, as the date on which the provisions of the said Act, shall come into force.

[F.No. 6/2/2009-BO.II)],

ALOK NIGAM,

Joint Secretary to the Government of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 15

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 20 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್, 2012.

2012ನೇ ಸಾಲಿನ ಜನವರಿ 9ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Chartered Accountants (Amendment) Act, 2011 (No.3 of 2012) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

The following Act of Parliament received the assent of the President on the 8th January 2012, and is hereby published for general information:-

THE CHARTERED ACCOUNTANTS (AMENDMENT) ACT, 2011

(No.3 OF 2012)

[8th January, 2012]

An Act further to amend the Chartred Accountants Act, 1949.

BE it enacted by Parliament in the Sixty-second year of the Republic of India as follows:-

1.Short title and commencement :-

(1) This Act may be called the Chartered Accountants (Amendment) Act, 2011.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of Section 2 :- In the Chartered Accountants Act, 1949 (38 of 1949) (hereinafter referred to as the principal Act), in section2.-

(i) In sub-section (1),-

(a) after clause (c), the following clause shall be inserted, namely:-

'(ca) "firm" shall have the meaning assigned to it in section 4 of the Indian Partnership Act, 1932,(9 of 1932) and includes,-

(i) the limited liability partnership as defined in clause (n) of sub-section (1) of section 2 of the Limited Liability Partnership Act, 2008 (6 of 2009); or

(ii) the sole proprietorship,

registered with the Institute;';

(b) after clause (ea), the following clauses shall be inserted, namely:-

'(eb) "partner" shall have the meaning assigned to it in section 4 of the Indian Partnership Act, 1932 (9 of 1932) or in clause (q) of sub-section (1) of section 2 of the Limited Liability Partnership Act, 2008 (6 of 2009), as the case may be ;

(ec) "partnership" means-

(A) a partnership as defined in section 4 of the Indian Partner- ship Act, 1932 (9 of 1932); or

(B) a limited liability partnership which has no company as its partner;

(c) after clause (ha), the following clause shall be inserted, namely:-

'(haa) "sole proprietorship" means an individual who engages himself in the practice of accountancy or offers to perform services referred to in clauses (ii) to (iv) of sub-section (2);

(ii) in sub-section (2),-

(a) after the words "chartered accountants in practice", the words "or in partnership with members of such other recognised professions as may be prescribed" shall be inserted;

(b) in the Explanation, for the words "a firm of such chartered accountants", the words "a firm of such chartered accountants or firm consisting of one or more chartered accountants and members of any other professional body having prescribed qualifications" shall be substituted. -

3. Amendment of Section 25.- In section 25 of the principal Act, in sub-section (1), the following Explanation shall of section 25, be inserted, namely:-

'Explanation.- For the removal of doubts, it is hereby declared that the "company" shall include any limited liability partnership which has company as its partner for the purposes of this section.

V.K.BHASIN,

Secy.to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 16

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ : ಸಂವ್ಯಶಾಇ 8 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ : 12–3–2012.

2012ನೇ ಸಾಲಿನ ಜನವರಿ 13ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ –1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Constitution (Ninety Seventh Amendment) Act, 2011 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

The following Act of Parliament received the assent of the President on the 12th January, 2012, and is hereby published for general information :-

THE CONSTITUTION (NINETY SEVENTH AMENDMENT) ACT, 2011

[12th January, 2012]

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Sixty-second Year of Republic of India as follows :-

1. **Short title and Commencement.-** (1) This Act may be called the Constitution (Ninety-seventh Amendment) Act, 2011.

(2) It shall come into force on such date as the Central Government may, by Notification in the Official Gazette, appoint.

2. **Amendment of article 19.-** In Part III of the Constitution, in article 19, in clause (1), in sub-clause©, after the words "or unions", the words "or Co-operative Societies" shall be inserted.

3. **Insertion of new article 43B.** In Part IV of the Constitution, after article 43A, the following article shall be inserted, namely:-

"43B. Promotion of Co-operative Societies.- The State shall endeavour to promote voluntary formation, autonomous functioning, democratic control and professional management of Co-operative Societies."

4. **Insertion of new Part IXB.-** After Part IXA of the Constitution, the following Part shall be inserted, namely :-

"PART IXB

THE CO-OPERATIVE SOCIETIES

243ZH. Definitions.- In this Part, unless the context otherwise requires, -

(a) "Authorised person" means a person referred to as such in article 243ZQ ;

(b) "board" means the board of directors or the governing body of a Co-operative Society, by whatever name called, to which the direction and control of the management of the affairs of society is entrusted to ;

(c) "Co-operative Society" means a society registred or deemed to be registered under any law relating to Co-operative Societies for the time being in force in any State ;

(d) "Multi-State Co-operative Society" means a society with objects not confined to one State and registered or deemed to be registered under any law for the time being in force relating to such Co-operatives,

(e) "officer bearer" means a President, Vice-President, Chairperson, Vice-Chairperson, Secretary or Treasurer of a Co-operative Society and includes any other person to be elected by the board of any co-operative society ;

(f) "Registrar" means the Central Registrer appointed by the Central Government in relation to the multi-State-co-operative societies and the Registrar for co-operative societies appointed by the State Government under the law made by the Legislature of a State in relation to co-operative societies ;

(g) "State Act" means any law made by the Legislature of a State ;

(h) "State level co-operative society" means a co-operative extending to the whole of a State and defined as such in any law made by the Legislature of a State.

243ZI. Incorporation of co-operative societies.- Suject to the Provisions of this Part, the Legislature of a State may, by law, make provisions with respect to the incorporation, regulation and winding up of co-operative societies based on the principles of voluntary formation, democratic member-control, member-economic participation and autonomous functioning.

243ZI. Number and term of members of board and its office bearers.- (1) The board shall consist of such number of directors as may be provided by the Legislature of a State, by law :

Provided that the maximum number of directors of a co-operative society shall not exceed twenty-one :

Provided further that the Legislature of a State shall, by law, provide for the reservation of one seat for the Scheduled Castes or the Scheduled Tribes and two seats for women on board of every co-operative society consisting of individuals as members and having members from such class or category of persons.

(2) The term of office of elected members of the board and its office bearers shall be five years from the date of election and the term of office bearers shall be conterminous with the term of the board :

Provided that the board may fill a casual vacancy on the board by nomination out of the same class of members in respect of which the casual vacancy has arisen, if the term of office of the board is less than half of its original term.

(3) The Legislature of a State shall by law, make provisions for co-option of persons to be members of the board having experience in the field of banking, management, finance or specialisation in any other field relating to the objects and activities undertaken by the co-operative society, as members of the board of such society :

Provided that the number of such co-opted members shall not exceed two in addition to twenty-one directors specified in the first proviso to clause (1) :

Provided further that such co-opted members shall not have the right to vote in any election of the co-operative society in their capacity as such member or to be eligible to be elected as office bearers of the board :

Provided also that the functional directos of a co-operative Society shall also be the members of the board and such members shall be excluded for the purpose of counting the total number of directors specified in the first proviso to clause (1).

243ZK.Election of members of board.- (1) Notwithstanding anything contained in any law made by the Legislature of a State. The election of a board shall be conducted before the expiry of the term of the board so as to ensure that the newly elected members of the board assume office immediately on the expiry of the office of members of the outgoing board.

(2) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to a Co-operative Society shall vest in such an Authority or body, as may be provided by the Legislature of a State, by law :

Provided that the Legislature of a State may, by law, provide for the procedure and guidelines for the conduct of such elections.

243ZL. Superscssion and suspension of board and interim management.- (1) Notwithstanding anything contained in any law for the time being in force, no board shall be superseded or kept under suspension for a period exceeding six months :

Provided that the board may be superseded or kept under suspension in case –

(i) of its persistent default ; or

(ii) of negligence in the performance of its duties ; or

(iii) the board has committed any Act prejudicial to the interests of the Co-operative Society or its members ; or

(iv) there is statemate in the constitution or functions of the board ; or

(v) the Authority or body as provided by the Legislature of a State, by law, under clause (2) of article 243ZK, has failed to conduct elections in accordance with the provisions of the State Act :

Provided further that the board of any such Co-operative Society shall not be superseded or kept under suspension where there is no Government shareholding or loan or financial assistance or any guarantee by the Government :

Provided also that in case of a co-operative Society carrying on the business of banking, the provisions of the Banking Regulation Act, 1949 (10 of 1949) shall also apply ;

Provided also that in case of a co-operative Society, other them a multi-State co-operative Society, carrying on the business of banking, the provisions of this clause shall have the effect as if for the words "six months", the words "one year" had been substituted.

(2) In case of supersession of a board, the administrator appointed to manage the affairs of such co-operative Society shall arrange for conduct of elections within the period specified in clause (1) and handover the management to the elected board.

(3) The Legislature of a State may, by law, make provisions for the conditions of service of the Administrator.

243ZM. Audit of accounts of co-operative Societies.- (1) The Legislature of a State may, by law, make provisions with respect to the maintenance of accounts by the co-operative Societies and the auditing of such accounts atleast once in each financial year.

(2) The Legislature of a State shall, by law, lay down the minimum qualifications and experience of auditors and auditing firms that shall be eligible for auditing accounts of the Co-operative Societies.

(3) Every co-operative Society shall cause to be audited by an auditor or auditing firms referred to in clause (2) appointed by the general body of the co-operative Society :

Provided that such auditors or auditing firms shall be appointed from a panel approved by a State Government or an authority authorised by the State Government in this behalf.

(4) The accounts of every co-operative Society shall be audited within six months of the close of the financial year to which such accounts relate.

(5) The audit report of the accounts of an Apex Co-operative Society, as may be defined by the State Act, shall be laid before the State Legislature in the manner, as may be provided by the State Legislature, by law.

243ZN. Convening of general body meetings.- The Legislature of a State may, by law, make provisions that the annual general body meeting of every co-operative Society shall be convened within a period of six months of close of the financial year to transact the business as may be provided in such law.

243ZO. Right of a member to get information.- (1) The Legislature of a State may, by law, provide for acces to every member of a co-operative Society to the books, information and accounts of the co-operative Society kept in regular transaction of its business with such member.

(2) The Legislature of a State may, by law, make provisions to ensure the Participation of members in the management of the co-operative Society providing minimum requirement of attending meetings by the members and utilising the minimum level of services as may be provided in such law.

(3) The Legislature of a State may, by law, provide for co-operative education and training for its members.

243ZP. Returns.- Every Co-operative Society shall file returns, within six months of the close of every financial year, to the authority designated by the State Government including the following matters, namely :-

(a) annual report of its activities ;

(b) its audited statement of accounts ;

(c) plan for surplus disposal as approved by the general body of the co-operative Society ;

(d) list of amendments to the bye-laws of the Co-operative Society, if any ;

(e) declaration regarding date of holding of its general body meeting and conduct of elections when due ; and

(f) any other information required by the Registrar in pursuance of any of the provisions of the State Act.

243. ZQ. Offence and penalties. (1) The Legislature of a State may, by law, make provisions for the offences relating to the co-operative Societies an depalties for such offences.

(2) A law made by the Legislature of a State under clause (1) shall include the commission of the following Act or omission as offences, namely ;-

(a) a co-operative Society or an officer or member thereof wilfully makes a false return or furnishes false information, or nay person wilfully not furnishes any information requied from him by a person authorised in this behalf under the provisions of the State Act ;

(b) any person wilfully or without any reasonable excuse dis-obeys any summons, requisition or lawful written order issued under the provisions of the State Act ;

(c) any employer who, without sufficient cause, fails to pay to a co-operative Society amount deducted by him from its employee within a period of fourteen days from the date on which such deduction is made ;

(d) any officer or custodian who wilfully fails to handover custody of books, accounts, documents, records, cash, security and other property belonging to a co-operative Society of which he is an officer or custodian, to an authorised person ; and

(e) whoever, before, during or after the elections of members of the board or office bearers, adopts any corrupt practice.

243ZR. Application to multi-State co-operative Societies.- The provisions of this Part shall apply to the multi-State- co-operative Societies subject to the modification that any reference to “Legislature of a State”, “State Act” or “State Government” shall be construed as a reference to “Parliament”, “Central Act” or “the Central Government” respectively.

243ZS. Application Union territories.- The provisions of this part shall apply to the Union territories and shall, in their application to a Union territory, having no Legislative Assembly as if the references to the Legislature of a State were a reference to the administrator thereof appointed under Article 239 and, in relation to a Union territory having a Legislative Assembly, to that Legislative Assembly ;

Provided that the President may, by Notification in the Official Gazette, direct that the provisions of this Part shall not apply to any Union territory or part thereof as he may specify in the Notification.

243ZT. Continuance of existing laws.- Notwithstanding anything in this Part, any provision of any law relating to co-operative Societies in force in a State immediately before the commencement of the Constitution (Ninety-seventh Amendment) Act, 2011, which is inconsistent with the provisions of this Part, shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from such commencement, whichever is less.”

V.K. BHASIN

Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 17